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COMMENTS:

Mr. Craver -

*Please review. I request a
telephone interview this afternoon.*

Ed Green

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Operator: _____

Serial No. 09/035,944

Mr. Craver:

for discussion -
DO NOT ENTER
IN FILE

I have just taken over prosecution of this case from another law firm, and I am trying to understand your § 103 rejection. I would like to call you today to discuss this case. In advance of that discussion, my understanding of the invention and references is outlined below:

Claim 1 recites a receiver with an LNA, where the input intercept point (IIP) of the LNA is adjusted based on a computed error rate.

Rich discloses a receiver where the gain is adjusted by an error rate.

^{gain}
Younis discloses a receiver where the IIP of an LNA is adjusted by the amount of non-linearity in the received signal, as indicated by the RSSI slope. The RSSI slope is compared to a RSSI threshold, which may be altered based on an error rate.

Even assuming that there exists a motivation to modify Rich with the LNA of Younis, the result is either:

- ① The Rich receiver where the amp is an LNA, with the gain of the LNA adjusted by an error rate, or ^{IIP which is based in part on error rate}
2. The Rich receiver with the gain adjusted by an error rate, with an additional LNA whose IIP is adjusted by the non-linearity of the received signal.

Neither yields the invention of claim 1.

The disclosure in Rich of something adjusted by an error rate; and the disclosure in Younis of the IIP of an LNA being adjusted by something; cannot render obvious the adjustment of the IIP of an LNA by an error rate. Such a result is not a modification of the teaching of Rich based on a disclosure by Younis – it is a completely new invention.